



US Army Corps  
of Engineers  
Portland District

# PUBLIC NOTICE

## for PERMIT APPLICATION

Issue Date: May 9, 2003

Expiration Date: June 9, 2003

Corps of Engineers Action ID: 200300290

Oregon Division of State Lands Number: 30387-RP

### 30 Day Notice

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached plan.

**Comments:** Comments on the described work should reference the U.S. Army Corps of Engineers number shown above and should reach this office no later than the above expiration date of this Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers  
ATTN: CENWP-OP-GP (Ms. Kathryn L. Harris)  
P.O. Box 2946  
Portland, Oregon 97208-2946

**Applicant:** Hartung Farms Homeowners Association  
2970 NW Circle A Drive  
Portland, Oregon 97229

**Location:** Hartung Lake, an impounded section of Willow Creek, in Section 28, of Township 1 North, Range 1 West, near Beaverton, Washington County, Oregon.

**Project Description:** The project would impact 6.46 acres of lake bottom and adjacent wetlands. Excavation and recontouring of the lake bottom is intended to create the following habitats: deep water habitat with a depth of 6-14 feet (approximately 30% of the lake), mid-water habitat with a depth of 4-6 feet (approximately 30% of the lake), and shallow water habitat with a depth of 0-4 feet (approximately 40% of the lake). The lake would be drawn down during the summer months to perform the work. Approximately 12,450 cubic yards of material would be removed from the lake using track excavators and bulldozers. Two large woody debris and two rock piles would be placed in each area of deep-water habitat. Approximately 0.5 acre of wetlands adjacent to the lake and 1.4 acre of upland buffer would be enhanced via plantings.

**Purpose:** To improve water quality within the lake.

**Drawings:** Figure 1 Regional Location Map  
Figure 2 Vicinity Map

Figure 3 Wetland Boundaries  
Figure 4 Existing Conditions  
Figure 5 Proposed Site Plan  
Figure 6 Cross Section Key Map  
Figure 7 Cross Section A-A  
Figure 8 Cross Section B-B  
Figure 9 Cross Section C-C  
Figure 10 Restoration/Enhancement Plan

**Additional Information:** Additional information may be obtained from Ms. Kathryn L. Harris, Project Manager, U.S. Army Corps of Engineers at (503) 808-4387.

**Authority:** This permit will be issued or denied under the following:

Section 404, Clean Water Act (33 U.S.C. 1344), for discharge of dredged or fill material into waters of the United States.

**Water Quality Certification:** A permit for the described work will not be issued until certification, as required under Section 401 of the Clean Water Act (P.L. 95-217), has been received or is waived from the certifying state. Attached is the state's notice advertising the request for certification.

**Section 404(b)(1) Evaluation:** The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404(b)(1) of the Clean Water Act.

**Public Hearing:** Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

**Endangered Species:** Preliminary determinations indicate that the described activity will not affect endangered species, or their critical habitat designated as endangered or threatened, under the Endangered Species Act of 1973 (87 Stat. 844). Formal consultation under Section 7 of the Act is not required for the described activity.

**Cultural Resources:** The described activity is not located on property registered or eligible for registration in the latest published version of the National Register of Historic Places. This notice has been provided to the State Historic Preservation Office.

**Evaluation:** The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the described activity, will be considered including the cumulative effects thereof;

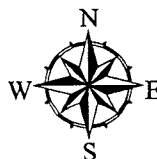
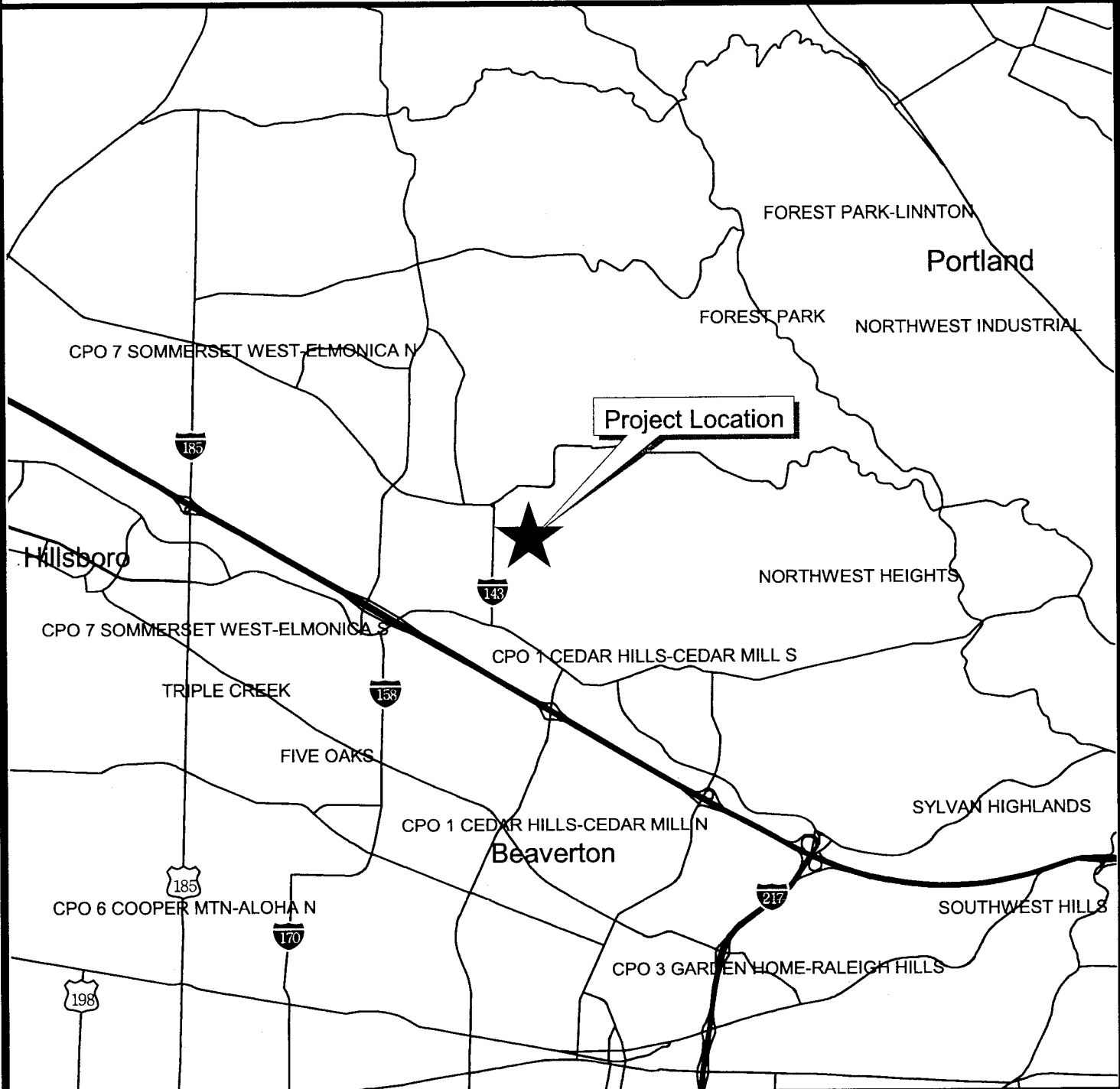
among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

**Additional Requirements:** State law requires that leases, easements, or permits be obtained for certain works or activity in the described waters. These State requirements must be met, where applicable, and a Department of the Army permit must be obtained before any work within the applicable Statutory Authority, previously indicated, may be accomplished. Other local governmental agencies may also have ordinances or requirements, which must be satisfied before the work is accomplished.

# Exhibit 1: Regional Location Map

TAX MAP 1N128CA; TAX LOTS 2800, 3500  
TAX MAP 1N128CB; TAX LOT 3100  
WASHINGTON COUNTY, OREGON  
DATA SOURCE: METRO DATA RESOURCE CENTER, RLIS LITE



SCALE: 1" = 1 mile  
JOB NAME: HARTUNG LAKE  
JOB NO.: 2985  
PLOT DATE: FEBRUARY 4, 2003

PREPARED BY:



DESIGN GROUP, INC.

3300 NW 211TH TERRACE  
HILLSBORO, OREGON 97124  
TELEPHONE: 503.858.4242  
FAX: 503.645.5500

TAX MAP 1N128CA; TAX LOTS 2800, 3500  
TAX MAP 1N128CB; TAX LOT 3100  
WASHINGTON COUNTY, OREGON  
DATA SOURCE: METRO DATA RESOURCE CENTER, RLIS LITE

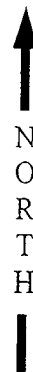
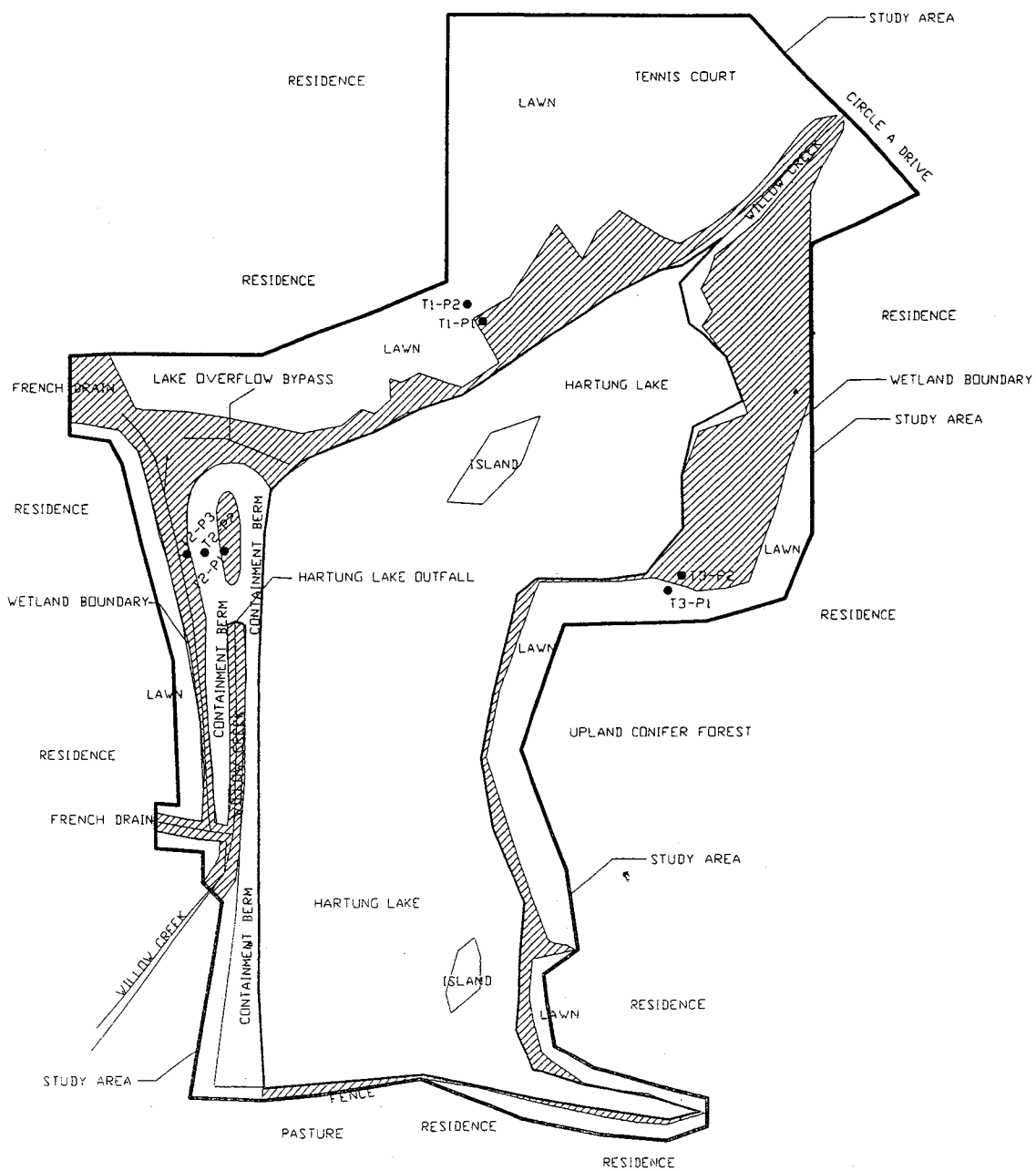


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Environmental  
Solutions  
Northwest

March 17, 2003

# **WETLAND BOUNDARIES & SAMPLE POINTS HARTUNG LAKE WETLAND DELINEATION**

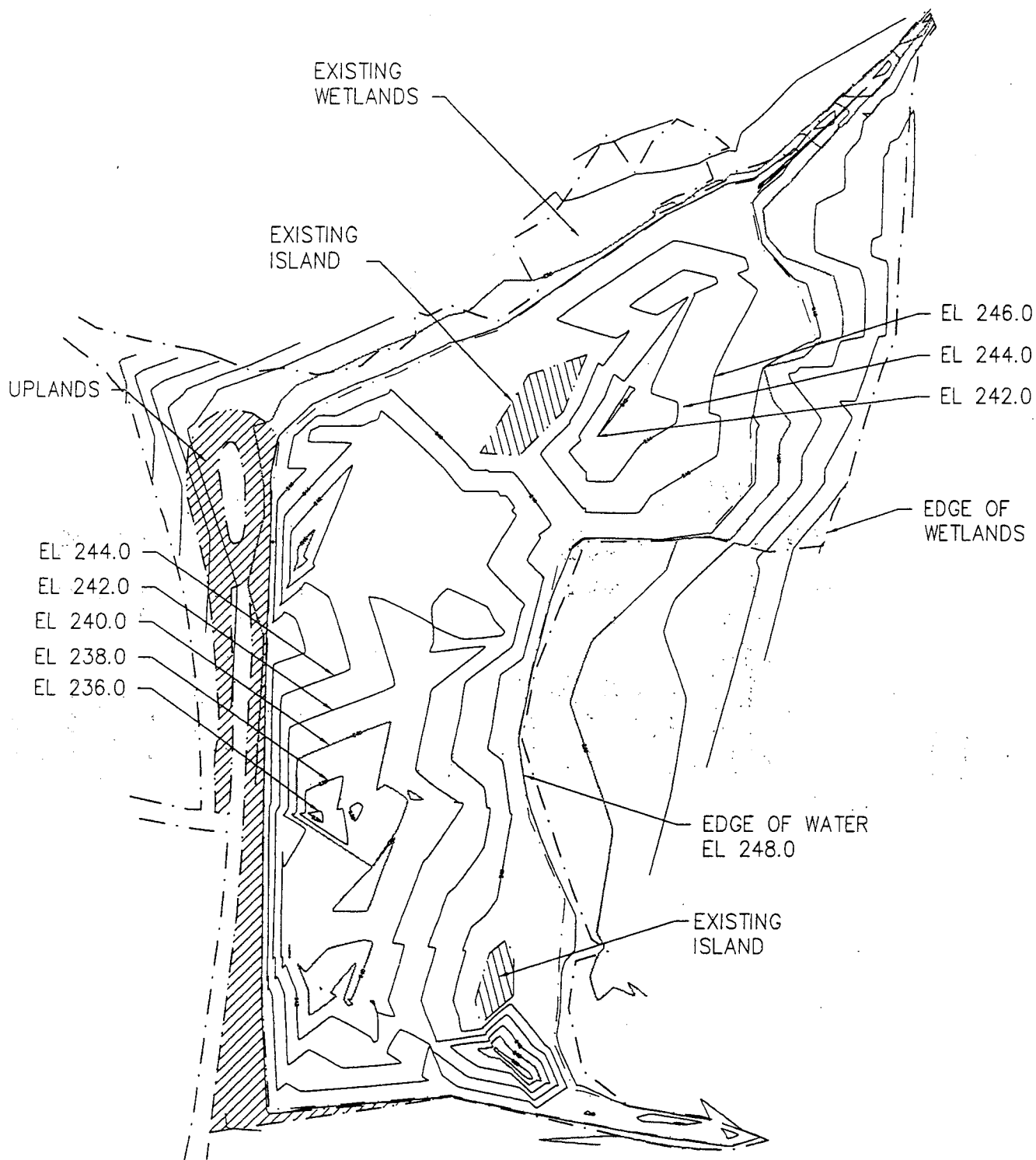
Cedar Mill, Washington County, Oregon

Approximate scale 1 inch = 200 feet



Map Source: LDC Design Group Wetland Flag Survey, March 2003.

**FIGURE 3**



PREPARED FOR:

**LDC** *Planners  
Engineers  
Surveyors*  
Design Group, Inc.

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HILLSBORO, OREGON 97124  
PHONE: (503) 858-4242  
FAX: (503) 645-5500  
www.lcdesign.com

DRAWING TITLE:

HARTUNG LAKE  
EXHIBIT 4  
EXISTING CONDITIONS

JOB NO.:

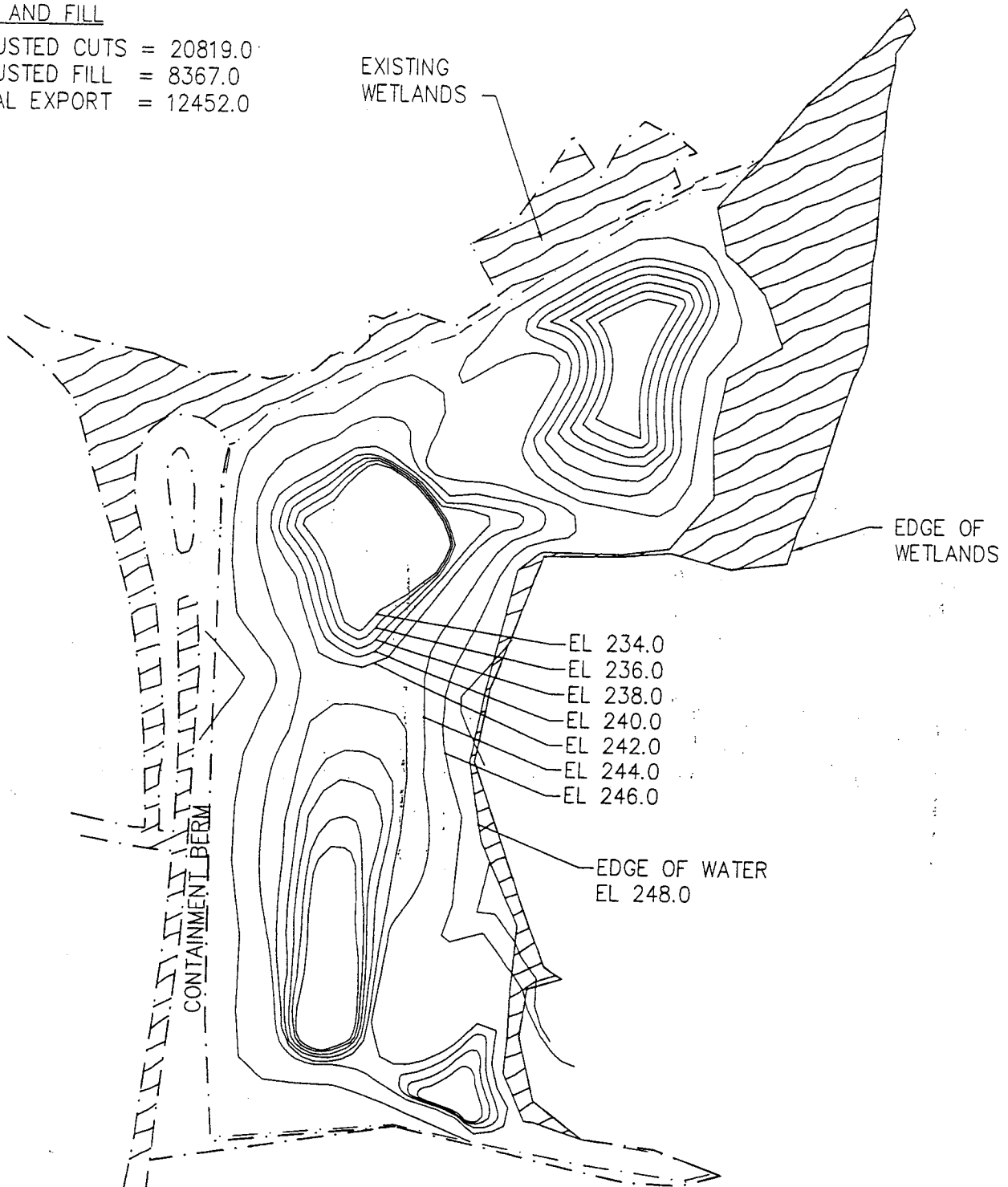
2985

DRAWING NO.

OF

CUT AND FILL

ADJUSTED CUTS = 20819.0  
ADJUSTED FILL = 8367.0  
TOTAL EXPORT = 12452.0



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Design Group, Inc.  
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Engineers  
Surveyors  
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FAX: (503) 645-5500  
www.ldcdesign.com

DRAWING TITLE:

HARTUNG LAKE  
EXHIBIT 5  
PROPOSED SITE PLAN

JOB NO.:

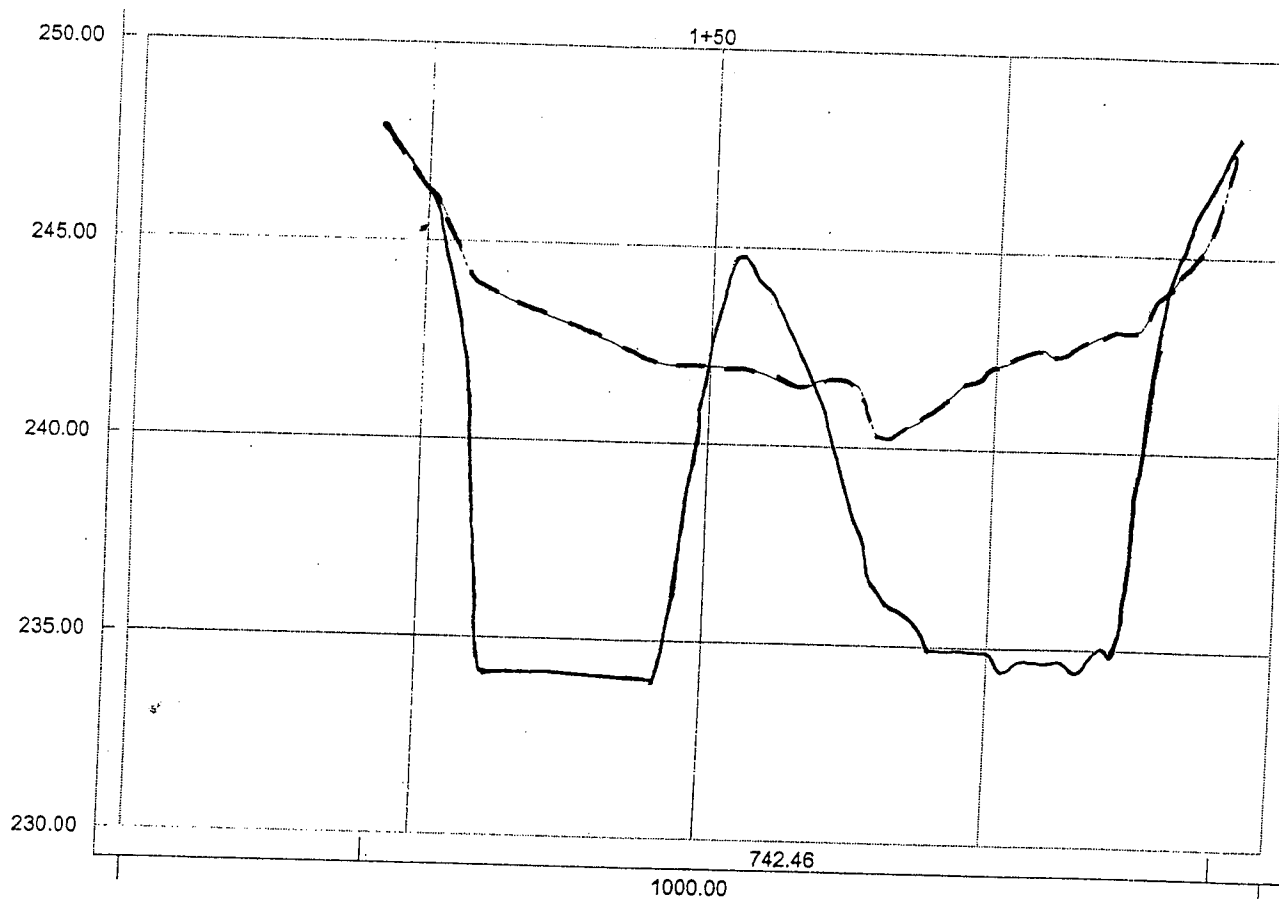
2985

DRAWING NO.

OF







PROPOSED LAKE BOTTOM \_\_\_\_\_

EXISTING LAKE BOTTOM \_\_\_\_\_

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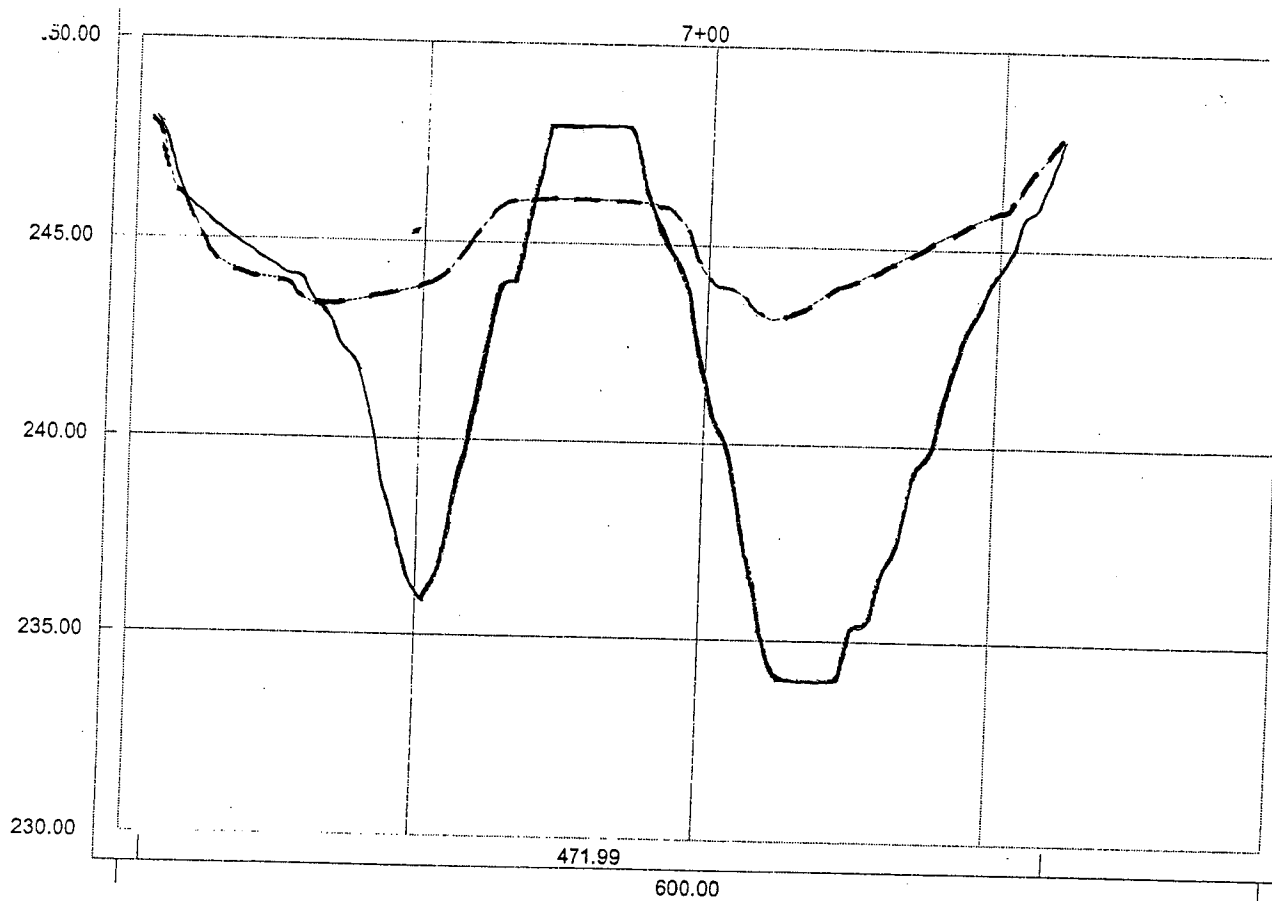
HARTUNG LAKE  
 EXHIBIT 7  
 RESTORATION/ENHANCEMENT  
 CROSS SECTION A-A

JOB NO.:

2985

DRAWING NO.

OF



PROPOSED LAKE BOTTOM \_\_\_\_\_  
 EXISTING LAKE BOTTOM - - - - -



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DRAWING TITLE

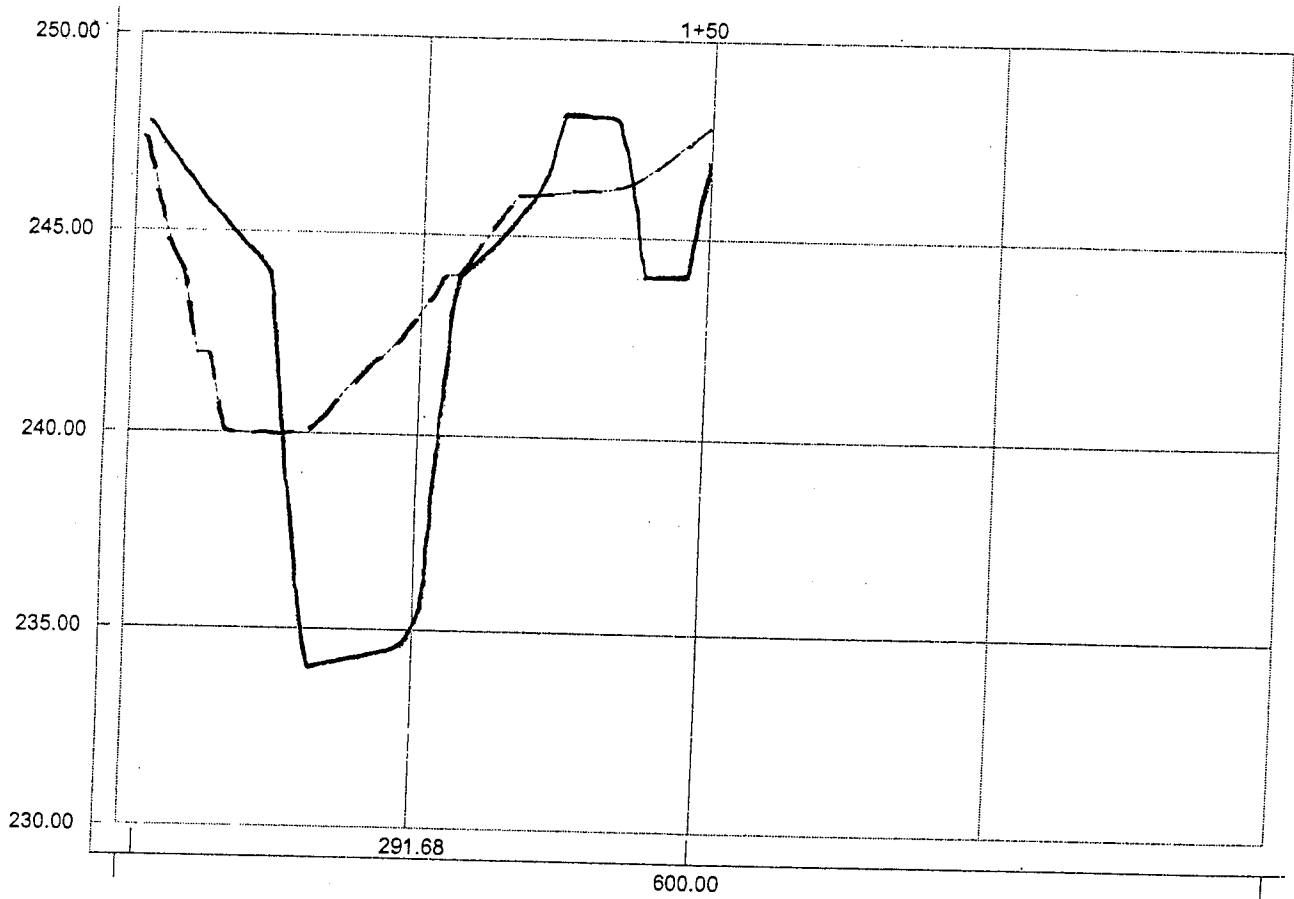
HARTUNG LAKE  
 EXHIBIT **8**  
 RESTORATION/ENHANCEMENT  
 CROSS SECTION B-B

JOB NO.

2985

DRAWING NO.

OF



PROPOSED LAKE BOTTOM \_\_\_\_\_  
 EXISTING LAKE BOTTOM \_\_\_\_\_

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DRAWING TITLE:

HARTUNG LAKE  
 EXHIBIT 9  
 RESTORATION/ENHANCEMENT  
 CROSS SECTION **CC**

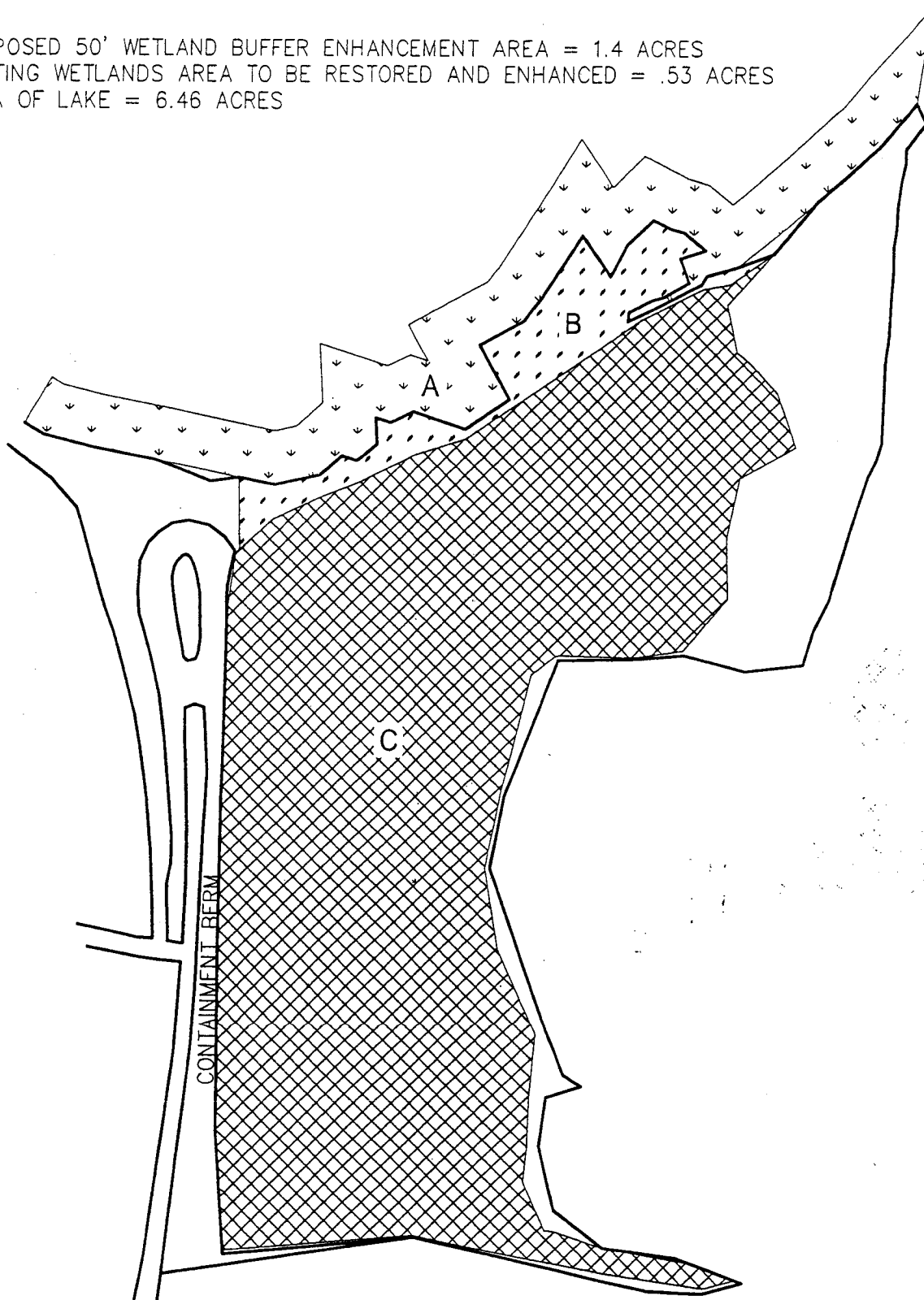
JOB NO.:

2985

DRAWING NO.:

OF

- A: PROPOSED 50' WETLAND BUFFER ENHANCEMENT AREA = 1.4 ACRES  
 B: EXISTING WETLANDS AREA TO BE RESTORED AND ENHANCED = .53 ACRES  
 C: AREA OF LAKE = 6.46 ACRES



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DRAWING TITLE:

HARTUNG LAKE  
 EXHIBIT 10  
 RESTORATION/ENHANCEMENT  
 PLAN

JOB NO.:

2985

DRAWING NO.

OF

# **PUBLIC NOTICE**

## **Oregon Department of Environmental Quality**

### **Water Quality 401 Certification**

Corps of Engineers Action ID Number: 200300290  
Oregon Division of State Lands Number: 30387-RP

Notice Issued: May 9, 2003  
Written Comments Due: June 9, 2003

**WHO IS THE APPLICANT:** Hartung Farms Homeowners Association

**LOCATION OF CERTIFICATION ACTIVITY:** See attached U.S. Army Corps of Engineers public notice.

**WHAT IS PROPOSED:** See attached U.S. Army Corps of Engineers public notice on the proposed project.

**NEED FOR CERTIFICATION:** Section 401 of the Federal Clean Water Act requires applicants for Federal permits or licenses to provide the Federal agency a water quality certification from the State of Oregon if the proposed activity may result in a discharge to surface waters.

**DESCRIPTION OF DISCHARGES:** See attached U.S. Army Corps of Engineers public notice on the proposed project.

**WHERE TO FIND DOCUMENTS:** Documents and related material are available for examination and copying at Oregon Department of Environmental Quality, Water Quality Division, 811 S.W. 6th Avenue, Portland, Oregon 97204.

While not required, scheduling an appointment will ensure documents are readily accessible during your visit. To schedule an appointment please call Alice Kavajecz at (503) 229-6962.

Any questions on the proposed certification may be addressed to the 401 Program Coordinator, (503) 229-5845 or toll free within Oregon at 1-800-452-4011. People with hearing impairments may call DEQ's TTY at (503) 229-6993.

#### **PUBLIC PARTICIPATION:**

**Public Hearing:** Oregon Administrative Rule (OAR) 340-48-0020 (6) states that "The Director shall provide an opportunity for the applicant, any affected state, or any interested agency, person, or group of persons to request or petition for a public hearing with respect to certification applications. If the Director determines that new information may be produced thereby, a public hearing will be held prior to the Director's final determination. Instances of doubt shall be resolved in favor of holding the hearing. There shall be public notice of such a hearing."

#### **Written comments:**

Written comments on the proposed certification must be received at the Oregon Department of Environmental Quality by 5 p.m. on (full date). Written comments should be mailed to Oregon Department of Environmental Quality, Attn: 401 Program Coordinator, 811 S.W. 6th Avenue, Portland, Oregon 97204. ***People wishing to send written comments via e-mail should be aware that if there is a delay between servers or if a server is not functioning properly, e-mails may not be received prior to the close of the public comment period.*** People wishing to send comments via e-mail should send them in Microsoft Word (through version 7.0), WordPerfect (through version 6.x) or plain text format. Otherwise, due to conversion difficulties, DEQ recommends that comments be sent in hard copy.

**WHAT HAPPENS NEXT:** DEQ will review and consider all comments received during the public comment period. Following this review, the permit may be issued as proposed, modified, or denied. You will be notified of DEQ's final decision if you present either oral or written comments during the comment period. Otherwise, if you wish to receive notification, please call or write DEQ at the above address.

**ACCESSIBILITY INFORMATION:** This publication is available in alternate format (e.g. large print, Braille) upon request. Please contact DEQ Public Affairs at (503) 229-5766 or toll free within Oregon at 1-800-452-4011 to request an alternate format. People with a hearing impairment can receive help by calling DEQ's TTY at (503) 229-6993.